

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JAMES OHLSON,

Plaintiff,

V.

STATE OF WASHINGTON, et al.,

## Defendants.

CASE NO. 3:22-CV-5864-JCC-DWC

REVISED PRETRIAL SCHEDULING  
ORDER

The parties have filed a stipulated motion to extend pretrial deadlines. Accordingly, the establishes the following revised pretrial schedule:

(1) Initial Disclosures: As agreed upon in the Corrected Joint Status Report, the deadline for serving initial disclosures is **January 30, 2023**.

## (2) Joining of Additional Parties

The deadline for joining additional parities is **March 31, 2023**.

### (3) Discovery

The parties shall conduct discovery according to the Corrected Joint Status Report, Dkt. No. 10-0000000.

23 | 9. All discovery shall be completed by **December 31, 2023**. Service of responses to

1 interrogatories and to requests to produce, and the taking of depositions, shall be completed by  
2 this date. Federal Rule of Civil Procedure 33(a) requires answers or objections to be served  
3 within thirty (30) days after service of the interrogatories. The serving party, therefore, must  
4 serve his/her interrogatories at least thirty (30) days before the deadline in order to allow the  
5 other party time to answer.

6 (4) Motion to Compel Discovery

7 Any motion to compel discovery shall be filed not later than **December 8, 2023**. Before  
8 filing a discovery motion, the parties must confer and attempt to resolve their differences. A good  
9 faith effort to confer with a party or person not making a disclosure or discovery requires a face-to-  
10 face meeting or a telephone conference. If unable to resolve their differences, the party filing the  
11 discovery motion must, either within the motion to compel or in a separate affidavit attached to the  
12 motion to compel, list the date, manner, and participants to the conference. If the moving party  
13 fails to include such a certification, the court may deny the motion without addressing the merits of  
14 the dispute. *See* Fed. R. Civ. P. 37; LCR 37(a)(1).

15 The motion to compel must: (1) list the matters on which the parties were unable to agree;  
16 (2) identify the nature and relevance of the documents and materials sought; (3) list the reason(s)  
17 why the mandatory initial disclosures were inadequate; and, (4) explain why the discovery sought  
18 is proportional to the needs of the case, considering the importance of the issues at stake in the  
19 action, the amount in controversy, the parties' relative access to relevant information, the parties'  
20 resources, the importance of the discovery in resolving the issues, and whether the burden or  
21 expense of the proposed discovery outweighs its likely benefit.

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## (5) Dispositive Motions

Any dispositive motion shall be filed and served on or before **January 28, 2024**.

3 Pursuant to LCR 7(b), any argument being offered in support of a motion shall be submitted as a  
4 part of the motion itself and not in a separate document. The motion shall include in its caption  
5 (immediately below the title of the motion) a designation of the date the motion is to be noted for  
6 consideration upon the Court's motion calendar. Dispositive motions shall be noted for  
7 consideration on a date no earlier than the fourth Friday following filing and service of the  
8 motion. LCR 7(d)(3).

9 All briefs and affidavits in opposition to any motion shall be filed and served pursuant to  
10 the requirements of Rule 7 of the Federal Rules of Civil Procedure and LCR 7. The party making  
11 a motion may file and serve a reply to the opposing party's briefs and affidavits. Any reply brief  
12 shall also be filed and served pursuant to the requirements of Rule 7 of the Federal Rules of Civil  
13 Procedure and LCR 7.

14 As the parties did not consent to a magistrate judge, if the case proceeds past dispositive  
15 motions, trial dates and deadlines will be set by the Honorable John C. Coughenour, the District  
16 Judge assigned to this case.

Dated this 23rd day of October, 2023.

David W. Christel  
David W. Christel  
Chief United States Magistrate Judge